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PATENT
81223-000001



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
SEAN IRBY, ET AL.

Serial No.: 10/802,511

Filed: MARCH 17, 2004

For: SYSTEM, APPARATUS AND
PROCESS TO PROVIDE, REPLENISH,
MONITOR, AND INVOICE
CONSIGNMENT INVENTORY WITH
RETAIL CUSTOMERS

Group No.: 3623

Examiner: UNKNOWN

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

Mail Stop DD
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sirs:

1. ☒ The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office Action on the merits, whichever event occurs last. 37 C.F.R. §1.97(b).
2. ☐ The information disclosure statement transmitted herewith is being filed *after* three months of the filing date of this national application or the date of entry of the national stage as set forth in §1.491 in an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last but *before* the mailing date of either:
 - (1) a final action under §1.113 or
 - (2) a notice of allowance under §1.311, whichever occurs first.

CERTIFICATION OR FEE

- A. Included with this transmittal is:
- i. ☐ a certification (set forth below) in accordance with 37 C.F.R. §1.97(e). (If for any reason the certificate set forth below should be unsatisfactory, the Commissioner is provisionally authorized to charge the \$240 fee (37 C.F.R. §1.17(p)) to Deposit Account No. 16-1805. A copy of this sheet is enclosed.)
 - OR**
 - ii. ☐ the attached fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c). (\$180.00).
3. ☐ The information disclosure statement transmitted herewith is being filed *after* a final action under §1.113 or a notice of allowance under §1.311, whichever occurs first, but before, or simultaneously with the payment of the issue fee.

CERTIFICATION, PETITION AND FEE

- A. In accordance with the requirements of 37 C.F.R. §1.97(d):
- i. Set forth below is a certification as specified in 37 C.F.R. §1.97(e).
 - ii. Applicant hereby petitions for the consideration of the accompanying information disclosure statement. 37 C.F.R. §1.97(d)(ii).
 - iii. Applicant submits the petition fee set forth in §1.17(i)(1). (\$180.00).

CERTIFICATION

(Required if 2Ai or 3 above is marked)

4. I, the person signing below, certify
- ☐ that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).
 - OR**
 - ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

5. ☒ If it should be determined that for any reason either an insufficient or an excessive fee has been paid, please charge any insufficiency or credit any overpayment necessary to ensure consideration of the information disclosure statement for the above-identified application to Deposit Account No. 16-1805. A copy of this petition is enclosed.

Respectfully submitted,

PILLSBURY WINTHROP LLP

Dated: July 28, 2004

By: Mark R. Kendrick
Mark R. Kendrick
Registration No. 48,468
Attorney for Applicant(s)

725 South Figueroa Street, Suite 2800
Los Angeles, CA 90017-5406
Telephone: (213) 488-7100
Facsimile: (213) 629-1033

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop DD, Commissioner for Patents, P. O. Box 1450, Alexandria VA 22313-1450, on July 28, 2004.

By: Mark R. Kendrick
Mark R. Kendrick, Reg. No. 48,468

FORM RTO-1449 (modified)
To: U.S. Department of Commerce
(PW FORM PAT-1449)
Patent and Trademark Office



Atty.
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Client Ref.

81223-000001

**INFORMATION DISCLOSURE STATEMENT
BY APPLICANT**

Applicant: SEAN IRBY, ET AL.

Appln. No.: 10/802,511

Filing Date: March 17, 2004

Date: July 28, 2004

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of

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Examiner: UNKNOWN

Group Art Unit: 3623

U.S. PATENT DOCUMENTS

Examiner's Initials*		Document Number	Date MM/YYYY	Name (Family Name of First Inventor)	Class	Sub Class	Filing Date (if appropriate)
	AR	5,168,445	12/01/1992	Kawashima et al.	364	403	02/21/1989
	BR	5,671,362	09/23/1997	Cowe et al.	395	228	04/04/1995
	CR	5,893,076	04/06/1999	Hafner et al.	705	28	01/16/1996
	DR	5,963,919	10/05/1999	Brinkley et al.	705	28	12/23/1996
	ER	6,078,900	06/20/2000	Ettl et al.	705	28	10/23/1998
	FR	6,341,271 B1	01/22/2002	Salvo et al.	705	28	11/13/1998
	GR	6,609,101 B1	08/19/2003	Landvater	705	10	03/25/2000
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	IR						
	JR						
	KR						

FOREIGN PATENT DOCUMENTS

		Document Number	Date MM/YYYY	Country	Inventor Name	English Abstract		Translation Readily Available	
						Enclosed	No	Enclose	No
	LR								
	MR								
	NR								
	OR								
	PR								
	QR								
	RR								

OTHER (Including in this order Author, Title, Periodical Name, Date, Pertinent Pages, etc.)

	SR	United States Patent Application Publication No. US 2002/0046059 A1			
	TR	United States Patent Application Publication No. US 2002/0069110 A1			
	UR	United States Patent Application Publication No. US 2003/0023501 A1			
	VR	United States Patent Application Publication No. US 2003/0033205 A1			
	WR	United States Patent Application Publication No. US 2003/0038220 A1			
	XR	United States Patent Application Publication No. US 2003/0083949 A1			
	YR	United States Patent Application Publication No. US 2002/0116301 A1			
	ZR	United States Patent Application Publication No. US 2002/0111877 A1			
	AAR	United States Patent Application Publication No. US 2003/0154113 A1			
	BBR	United States Patent Application Publication No. US 2003/0171962 A1			
	CCR				

Examiner

Date Considered:

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.